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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 20 2014

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

[REDACTED]

[REDACTED]

[REDACTED] SAM G.

WARD, [REDACTED]

[REDACTED]

Defendants.

2:CR-14-21-RMP

INDICTMENT

21 U.S.C. § 848
Continuing Criminal
Enterprise (Count 1)

21 U.S.C. § 846
Conspiracy to Distribute a
Controlled Substance (Count 2)

21 U.S.C. 846
Conspiracy to Distribute
Phencyclidine (Count 3)

21 U.S.C. § 846
Conspiracy to Possess with Intent to
Distribute a Controlled Substance
(Counts 4-5)

21 U.S.C. § 841(a)(1)
Distribution of a Controlled
Substance (Counts 6-7, 9-12, 14-18)

21 U.S.C. § 841(a)(1)
Distribution of a Schedule I
Controlled Substance, in the Form of
Ecstasy (Count 8)

21 U.S.C. § 841(a)(1)
Distribution of Phencyclidine
(Count 13)

21 U.S.C. § 853
Criminal Forfeiture

The Grand Jury Charges:

COUNT 1

That beginning on a date unknown, but by on or about June 22, 2013, the exact date being unknown to the Grand Jury, and continuously thereafter up through and including February 19, 2014, within the Eastern District of Washington, and elsewhere, [REDACTED] and [REDACTED] Defendants herein, did unlawfully, knowingly and intentionally engage in a continuing criminal enterprise in that the Defendants unlawfully, knowingly and intentionally violated 21 U.S.C. §§ 841(a)(1), 843(b), 846, which violations include, but are not limited to Conspiracy to Distribute a Controlled Substance alleged in Count 3, and the substantive violations alleged in Counts 3-5, 7-9, 12-13, which Counts and Overt Acts are re-alleged and incorporated herein by reference as though fully set forth in this Count, and which violations were part of a continuing series of violations of the Controlled Substances Act, 21 U.S.C. § 801, et seq., undertaken by the Defendants, in concert with at least five other persons with respect to whom, occupied positions of organizer, supervisor, and any position of management, and from which such continuing series of violations the Defendants obtained substantial income and resources; all in violation of 21 U.S.C. § 848(a), (c).

INDICTMENT – 2

Indictment 1

COUNT 2

That beginning on a date unknown, but by no later than on or about July 18, 2012, the exact date being unknown to the Grand Jury, and continuously thereafter up through and including February 19, 2014, in the Eastern District of Washington and elsewhere, [REDACTED],

[REDACTED] SAM G. WARD, [REDACTED]

[REDACTED] and others not known to the Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree together with each other and with other persons, both known and unknown to the Grand Jury, to commit the following offense against the United States, to wit: conspiracy to distribute a mixture or substance containing a detectable amount of oxycodone hydrochloride, an opiate and Schedule II controlled substance, pursuant to 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), all in violation of 21 U.S.C. § 846.

COUNT 3

That beginning on a date unknown, but on or about October 14, 2013, the exact date being unknown to the Grand Jury, and continuously thereafter up through and including February 19, 2014, in the Eastern District of Washington

INDICTMENT – 3

Indictment I

1 and elsewhere, [REDACTED]
2 [REDACTED]
3 [REDACTED] and SAM G. WARD, and others not known to the Grand
4 Jury, did knowingly and intentionally combine, conspire, confederate and agree
5 together with each other and with other persons, both known and unknown to the
6 Grand Jury, to commit the following offense against the United States, to wit:
7 distribution of Phencyclidine ("PCP"), a Schedule II controlled substance, in
8 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2, all in violation of
9 21 U.S.C. § 846.

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11 COUNT 4

12 That beginning on a date unknown, but on or about October 30, 2013, the
13 exact date being unknown to the Grand Jury, and continuously thereafter up
14 through and including November 1, 2013, in the Eastern District of Washington
15 and elsewhere, [REDACTED] and others not known to the Grand Jury,
16 did knowingly and intentionally combine, conspire, confederate and agree together
17 with each other and with other persons, both known and unknown to the Grand
18 Jury, to commit the following offense against the United States, to wit: possession
19 with intent to distribute a mixture or substance containing a detectable amount of
20 oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed at
21 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone
22 hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2,
23 all in violation of 21 U.S.C. § 846.

24
25 COUNT 5

26 That beginning on a date unknown, but by on or about December 17, 2013,
27 the exact date being unknown to the Grand Jury, and continuously thereafter up
28 through and including December 19, 2013, in the Eastern District of Washington
and elsewhere, [REDACTED], [REDACTED], [REDACTED]

1 [REDACTED]
2 [REDACTED] and [REDACTED]
3 [REDACTED], and others not known to the Grand Jury, did knowingly and intentionally
4 combine, conspire, confederate and agree together with each other and with other
5 persons, both known and unknown to the Grand Jury, to commit the following
6 offense against the United States, to wit: possession with intent to distribute a
7 mixture or substance containing a detectable amount of oxycodone hydrochloride,
8 an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c),
9 specifically in the form of pills containing oxycodone hydrochloride, in violation
10 of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2, all in violation of 21 U.S.C.
11 § 846.
12

13 COUNT 6

14 That on or about March 24, 2013, in the Eastern District of Washington,
15 [REDACTED] Defendant herein, did knowingly and intentionally
16 distribute a mixture or substance containing a detectable amount of oxycodone
17 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
18 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
19 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.
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21 COUNT 7

22 That on or about June 25, 2013, in the Eastern District of Washington,
23 [REDACTED] Defendant herein, did knowingly and intentionally
24 distribute a mixture or substance containing a detectable amount of oxycodone
25 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
26 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
27 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.
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COUNT 8

That on or about June 25, 2013, in the Eastern District of Washington, [REDACTED] did knowingly and intentionally distribute a mixture or substance containing a detectable amount of 3, 4-methylenedioxymethamphetamine, which is commonly known as MDMA, in the form of ecstasy pills, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNT 9

That on or about July 18, 2013, in the Eastern District of Washington, [REDACTED] Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNT 10

That on or about August 7, 2013, in the Eastern District of Washington, [REDACTED] and [REDACTED], Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

COUNT 11

That on or about August 30, 2013, in the Eastern District of Washington, [REDACTED] Defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. § 812(c),

1 specifically in the form of pills containing oxycodone hydrochloride, in violation
2 of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

3 COUNT 12

4 That on or about October 3, 2013, in the Eastern District of Washington,
5 [REDACTED] Defendant herein, did knowingly and intentionally
6 distribute a mixture or substance containing a detectable amount of oxycodone
7 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
8 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
9 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

10 COUNT 13

11 That on or about October 17, 2013, in the Eastern District of Washington,
12 [REDACTED] and [REDACTED], Defendants herein, did
13 knowingly and intentionally distribute Phencyclidine ("PCP"), a Schedule II
14 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18
15 U.S.C. § 2.

16 COUNT 14

17 That on or about October 23, 2013, in the Eastern District of Washington,
18 [REDACTED] Defendant herein, did knowingly and intentionally
19 distribute a mixture or substance containing a detectable amount of oxycodone
20 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
21 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
22 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

23 COUNT 15

24 That on or about November 5, 2013, in the Eastern District of Washington,
25 [REDACTED] Defendant herein, did knowingly and intentionally
26 distribute a mixture or substance containing a detectable amount of oxycodone
27 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
28

1 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
2 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

3 COUNT 16

4 That on or about November 14, 2013, in the Eastern District of Washington,
5 [REDACTED] Defendant herein, did knowingly and intentionally
6 distribute a mixture or substance containing a detectable amount of oxycodone
7 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
8 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
9 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.
10

11 COUNT 17

12 That on or about November 22, 2013, in the Eastern District of Washington,
13 [REDACTED] Defendant herein, did knowingly and intentionally distribute
14 a mixture or substance containing a detectable amount of oxycodone
15 hydrochloride, an opiate and Schedule II controlled substance, listed at 21 U.S.C. §
16 812(c), specifically in the form of pills containing oxycodone hydrochloride, in
17 violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.
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19 COUNT 18

20 That on or about December 13, 2013, in the Eastern District of Washington,
21 [REDACTED] and [REDACTED] Defendant herein, did knowingly
22 and intentionally distribute a mixture or substance containing a detectable amount
23 of oxycodone hydrochloride, an opiate and Schedule II controlled substance, listed
24 at 21 U.S.C. § 812(c), specifically in the form of pills containing oxycodone
25 hydrochloride, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.
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NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of 21 U.S.C. §§ 841(a)(1) and 846, DEANDRE S. GAITHER, [REDACTED]

SAM G. WARD,

_____ shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense(s) and any property used or intended to be used, in any manner or part, to commit or to facilitate the commission of the offense(s).

If any forfeitable property, as a result of any act or omission of the Defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided

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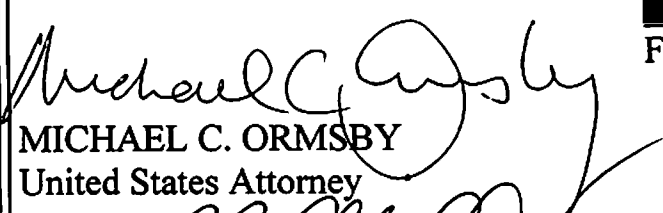
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without difficulty; the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p).

DATED this 19th day of February, 2014.

A TRUE BILL


Foreperson


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